

10/523,623 34

Rec'd PCT/PTO 14 FEB 2006

Docket No.: 10404.028.00-US
(PATENT)**Declaration and Power of Attorney**

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

FUEL CELL USING BIOFILMS AS CATALYST FOR THE CATHODE REACTION AND/OR THE ANODE REACTION

the specification of which

<input type="checkbox"/>	Is attached hereto.		
<input checked="" type="checkbox"/>	was filed on	February 4, 2005	
		as Application No.	10/523,623
		and amended on	
<input checked="" type="checkbox"/>	was filed as PCT international application		
	Number	PCT/IB03/03637	
	on	August 5, 2003	
	and was amended under PCT Article 19		
	on	(if applicable).	

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed		
02 10009	France	06 August 2002	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No

We (I) hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

(Application Number)

(Filing Date)

We (I) hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of

DC:50380407.1

BEST AVAILABLE COPY

each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status (pending, patented, abandoned)

We (I) hereby appoint the practitioners associated with Customer No. 30827, with full powers of substitution and revocation, to prosecute the patent application identified above and filed herewith and to transact all business in the U.S. Patent and Trademark Office connected therewith; and we (I) hereby request that all correspondence regarding this application be sent to Song K. Jung of McKenna Long & Aldridge LLP, Attorneys At Law, 1900 K Street, N.W., Washington, D.C. 20006.

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon, and may jeopardize the validity of the patent application or any patent issued thereon.

Alain BERGEL

NAME OF FIRST INVENTOR

Alain Bergel

Signature of Inventor

February 09, 2006

Date

Damien FERON

NAME OF SECOND INVENTOR

D. Feron

February 09, 2006

Date

Residence: 42 rue Pigni

31500 Toulouse France FRX

Citizen of: France

Post Office Address: Same as above

Residence: 45, Avenue Jean Moulin

92260 Fontenay Aux Roses France FRX

Citizen of: France

Post Office Address: Same as above